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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JAMES VAUGHN,

Plaintiff

v.

WARDEN JENNIFER NASH, et al.,

Defendants

Case No.: 2:15-cv-02137-APG-PAL

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF No. 22]

On October 29, 2018, Magistrate Judge Leen recommended that plaintiff James Vaughn's amended complaint be dismissed because the case has been pending for three years but Vaughn has been unable to accomplish service and because Vaughn's amended complaint does not state a plausible equal protection claim. ECF No. 22. Vaughn did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

IT IS THEREFORE ORDERED that Magistrate Judge Leen's report and recommendation (**ECF No. 22**) is **accepted**. Plaintiff James Vaughn's amended complaint (ECF No. 17) is DISMISSED without prejudice. The clerk of court is instructed to close this case.

DATED this 19th day of November, 2018.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE